UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

No. 6-4217

Riley

vs.

Simpson, et al.

Leroy Riley #FQ-8672, Appellant

(Western District of Pennsylvania Civil No. 05-cv-00172E)

O R D E R

Pursuant to Rule 3(a) of the Federal Rules of Appellate Procedure and Third Circuit LAR 3.3 and Misc. 107.1(a),

It is O R D E R E D that the above-entitled case is hereby dismissed for failure to timely prosecute,

It is FURTHER O R D E R E D that a certified copy of this order be issued forthwith as the mandate.

For the Court,

Marcia M. Waldron

Clerk

A True Copy:

Marcia M. Waldron

Marcia M. Waldron, Clerk

Date: January 3, 2007

cc:

Leroy Riley #FQ-8672
Kemal A. Mericli, Esq.